

UNITED STATES DISTRICT COURT

for the

EASTERN District of TENNESSEE

Knoxville Division

FILED

OCT 13 2022

JBR

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

Case No.

3:22-mc-41

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

FILED

OCT 14 2022

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

MR. REX ALLAN MOORE,

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

STATE OF TENN. T.O.C.B.O.P.P. et al.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Mr. Rex A. Moore,
 Address 2112 Washington Ave
Knoxville Tenn 37917
 City State Zip Code
 County Knox Co.
 Telephone Number (865) 964-3210
 E-Mail Address Jonhd379@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Tennessee Governor: Bill Lee,
 Job or Title (if known) Legislative Governor
 Address 1st Floor, State Capitol
Nashville Tennessee 37243
 City State Zip Code
 County Davidson Co.
 Telephone Number (615) 741-2001
 E-Mail Address (if known)

☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name Mr. Tony C. Parker, / Lisa Helton, et al.
 Job or Title (if known) State of Tennessee TDOC BOARD Commissioner
 Address 320 Sixth Avenue North
Nashville Tennessee 37243-0465
 City State Zip Code
 County Davidson
 Telephone Number (615) 741-1000
 E-Mail Address (if known) TDOC Webmaster@tn.gov / See Also, WWW.tn.gov correction

☐ Individual capacity ☒ Official capacity

Defendant No. 3 ⁶⁴

Name

Job or Title (if known)

Address

Ms. Lindsay Delorge, & Mr. Chris Ramsey,
DOC BOPP Probation Officers
1426 Elm Street
Knoxville TN 37921
City State Zip Code

County

Telephone Number

E-Mail Address (if known)

Knox

(865) 582-2000

☒ Individual capacity☒ Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

Miss. Tiffany Wallace
DOC BOPP Director,
1426 Elm Street
Knoxville TN 37921
City State Zip Code

County

Telephone Number

E-Mail Address (if known)

Knox

(865) 582-2000

☒ Individual capacity☒ Official capacity**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Claim (1) DOC BOPP, Deprivation of the U.S. for State 14th 5th 6th const. Amend. Equal Protection
to due Process, cruel, and unusual Punishment law reg. T.C.A. 39-16-403(1)(a)(2) Official oppression
Claim (2) T.C.A. 39-16-402(a)(1)(2)(3) & (3) Official Misconduct, Const. 14th 5th and 8th Amend. Violation.
Claim (3) DOC BOPP Deprivation of U.S. for State 14th 5th & 8th const. Amend. T.C.A. 39-16-403(1)(a)(2) Official oppression
sec (1)(a) & (2) Claim (4) Deprivation to U.S. for State 14th 5th & 15th const. Amend. 17 Da 6 Grievance due process
complaint procedure.
Claim (5) Deprivation of the U.S. for State const. 14th 5th, 8th & 15th Amend. Law Reg. From Ex Post Facto Violation
pursuant to T.C.A. 39-16-403(1)(a)(2), by T.C.A. Reg. 1395-01-01-06 Sec. 153(7)-9(a)(b), & (1) Amend 8.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Defendant Director Tiffany Wallis, For TDOC
 Acted out Official to (C.A. Reg. Rule Reg. 40-28-602(4)) 1100-01-01-03. Mrs. L. Delorge Acted out of individual
 and State Official capacities; against - Rule Reg. 1100-01-01-03 (7) For regulating (1395-01-05-05.05 Rule Reg.)
 - Ed 2022. T.B.T. Reg. Was TDOC Commissioner Mr. Tony C. Parker, For the State, Tenn.
 Legislative Gov.
 Governor Mr. Bill Lee, Passed the Law, SOR Bill, & following dated Amendment:
 against Petitioners, Const. Claim, rights from ex post facto, Violation 1395-01-05-05.05
 or 1395-01-05-05

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

State of Tenn. Office of TDOC BOP

1426 Elm Street Knoxville Tennessee 37921.

- B. What date and approximate time did the events giving rise to your claim(s) occur?

Near or upon 2-6-2022 - 6-10-2022; & incidently news
 10-14-2022

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

Claim (1) Defendant TDOC Delorge, ordered the Petitioner, to leave his established resident within 45 minutes with no cash nor assistance for alternative housing, vs. VOP from on-going mean aggressive mistreatment, and order on demand to such behavior under Tort of Fearful, wrongful act, & twisted behavior.

Claim (2) Mrs. Delorge, swore out her 1st Unlawful Affidavit informing arrest warrant stating this - Petitioner declined or failed to report probation condition information, she was given, charges dismissed, Petitioner released up on information guilty plea vs. VOP on going excessive bail.

Claim (3) Mrs. Delorge, stated a 2nd Sworn Unlawful Affidavit information arrest warrant, that the Petitioner Mr. Moore, failed to report his TDOC BOP T.B.T. C.M. Monitor. g. mail regulation info. When she declined informing & assisting Petitioner with that required form & information when she had procedure required by TDOC - Legislation Gov. signed - Law. Claim (4) TDOC BOP, Mrs. S. Tiffany Wallis, Director, conducted Petitioner's, Grievance Religious Complaint & ruled his appeal disposition. Procedures declined.

Claim (5) Defendant T.D.O.C. Commissioner Mr. Tony C. Parker, then, or Shouldve known, at TDOC BOP formal inmate Grievance complaint, T.B.T. monitor reports, and all - Appeal Procedure reported, et al.

Claim (5) Defendant(s) Tenn Legislative Gov Bill Lee - et al of the SOR monitoring form/tracking Bill did, or Shouldve known, Case 3:22-cv-00363-TAY-DGP Document 3 Filed 10/14/22 Page 4 of 6. PageID #: 17

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Claim (1) From 2-2022-10-2022 (Punitive injury) Official Misconduct/Oppression, From TDOC BOPP Law enforcement agent P/O MRS. Lindsay Delorge, up on this 62 yr. old mental health A.D.A. Petitioner Mr. Rex A. Moore, While ordering him to leave his pre-established home, with his wife, & family within 45 minutes vs. V.O.P. With no pre-assistance for housing, Which forced him to live, sleep outside, up in the woods, eating others' scraps, creature's of the forest, & bath in the TNN River; (Where wild carp fish he ate, no toiletry, paper etc. - i probably suffer while in human orders - continue.)
Petitioner received respiratory pneumonia infection out there under winter weather condition, see Fort Sanders Med center treatment and declined follow up order's to let petitioner go home for healing. All i could grabb was a blanket & coat, but the weather got to rough, i nearly died sick; Claim (2) Mrs. Delorge made Pauls Claim up on affidavit arrest warrant for VOP. Stating Petitioner declined informing her of a traffic stop/arrest. She ordered Petitioner Mr. Moore, to not go to his pre-scheduled endocrinologist diabetic dr. appointment for this arrest. While in jail Petitioner suffered a diabetic coma blood sugar in the ER 40's missing that appointment.
Claim (3) TDOC BOPP & B.I. Gov. Wrongful SOR - V.O.P. through-out Petitioner's, TDOC BOPP meany wrongful VOP, Oppression, & incarceration, Consequencently, also resulted in Monetary damage's, while suffering, with out the privilege, time to operate his - Pre-established H-1 C-P tow-truck financial \$1500⁰⁰ daily family security income - wage's, expected
Claim (4) The Petitioner's rightful TDOC BOPP on going Statutory Grievance due-process's, including Religious Practice const. Right's taken there-by. Claim (5) Mental Anguish, cruel, & unusual punishment law violation

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Claim (1) Official Oppression
Petitioner seek ex-parte temporary restrain order from the TDOC BOPP & B.I. Law enforcement agent P/O Lindsay Delorge, see Sworn Affidavit Statement, including individual, official, capacity, up to \$700,000⁰⁰ Punitive - & or Monetary damage relief
Claim (2) Official Misconduct Petitioner seek up on Class. A. Felony conviction & or offence relief Punitive & or monetary damage individual, & or Official capacity relief up to \$10,000⁰⁰ Relief.
Claim (3) Petitioner seek Punitive, & or Monetary relief individual, & or Official capacity relief \$135,000⁰⁰ Labor business - (Tow truck service loss, And \$135,000⁰⁰ wrongful incarceration, (mental anguish) relief.
Claim (4) Official Capacity, deprivation of formal due-process freedom of grievance procedure; Practice of religion (mental anguish) relief \$700,000⁰⁰ Individual capacity relief \$200,000⁰⁰
Claim (5) Official capacity, relief for State Tn Statute, Tn Rule Reg. 1395-01-05-05, Sec (1)(a) & (2), 1395-01-01-06 - Sec (5)-(7)-(9) deprivation. And Ex-post Facto, TDOC BOPP, - TBI, Legislative Gov. reg. deprivation; relief from the SOR (Sex Offender Registration) TDOC commissioner & or Gov Bill Lee Official's 7. Million dollar \$ - with injunction ordering BOPP constant video & officer body video & Auto: At all offender's contact, preventing Law Violation with out delay, Injunction, SOR, complete TCA.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10-14-2022

Signature of Plaintiff

Printed Name of Plaintiff

Rex H. Moore,

Rex H Moore,

B. For Attorneys

Date of signing: 10-14-2022

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Pro Se

2112 Washington Ave

Knoxville

City

TNN

State

37917

Zip Code

Telephone Number

865 964-3210

E-mail Address

